

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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LETICIA ANSELMO LOPEZ,	:	
	:	
Plaintiff,	:	No. 18-CV-10737 (OTW)
	:	
-against-	:	<b><u>OPINION &amp; ORDER</u></b>
	:	
UNO EXPRESS CLEANERS, INC., et al.	:	
	:	
Defendants.	:	
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**ONA T. WANG, United States Magistrate Judge:**

On December 17, 2019, the Court issued an order denying approval of the parties' settlement agreement as fair and reasonable under *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199 (2d Cir. 2015), specifically pointing to the agreement's problematic release. (ECF 52).<sup>1</sup> On January 10, 2020, the parties submitted a revised settlement agreement but failed to include the fully executed agreement. (ECF 53). On April 20, 2020, the parties were directed to submit the revised and fully executed settlement agreement by May 1, 2020. (ECF 57). On May 12, 2020, in light of the parties' failure to submit the agreement, the Court issued an order to show cause for why the case should not be dismissed for failure to prosecute. (ECF 58). In response to the order to show cause, the parties submitted the fully executed agreement on May 18, 2020. (ECF 59).

The parties revised agreement appropriately limits the release to claims raised in this action under the Fair Labor Standards Act and New York Labor Law. (ECF 59-1 at 3-4).

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<sup>1</sup> The parties have consented to magistrate judge jurisdiction, pursuant to 28 U.S.C. § 636(c). (ECF 49).

Accordingly, the Court approves the parties' settlement agreement, as modified by the parties, as fair and reasonable under *Cheeks*.

It is hereby **ORDERED** that this action is dismissed with prejudice. The Clerk is directed to close the case.

**SO ORDERED.**

Dated: July 27, 2020  
New York, New York

s/ Ona T. Wang

**Ona T. Wang**  
United States Magistrate Judge